

CISTO-SCTS Question Set #13

Question/Comment	Response
<p>1. In regards to SB utilization, please advise how NASA determines the corresponding SB goal value for the work being performed by the respective SB, i.e. if a SB is performing any work that identifies them as a SB will all the work performed by the SB in support of this program be counted towards the SB goals? Or does only the work corresponding to the SB identifier be counted towards the SB goals?</p>	<p>This modified response replaces the response to question 1 of CISTO-SCTS Question Set #12) posted on May 15, 2012.</p> <p>The response has been revised as follows in bold and underlined print:</p> <p>The goal value for the work being performed by the respective Small Business (SB) is determined by the offeror's proposal submission in accordance with Section M, Subfactor D.</p> <p>See the guidance provided in the Code of Federal Regulations at CFR 121.404 and CFR 121.410 regarding determining the size status of a business concern. The following are relevant CFR excerpts:</p> <p>(CFR) 121.404(e) states "For subcontracting purposes, a concern must qualify as small as of the date that it certifies that it is small for the subcontract. The applicable size standard is that which is set forth in CFR 121.410 and which is in effect at the time the concern self-certifies that it is small for the subcontract."</p> <p>CFR 121.410 states "For subcontracting purposes pursuant to sections 8(d) of the Small Business Act, a concern is small for subcontracts which relate to Government procurements if it does not exceed the size standard for the NAICS code that the prime contractor believes best describes the product or service being acquired by the subcontract. However, subcontracts for engineering services awarded under the National Energy Policy Act of 1992 have the same size standard as Military and Aerospace Equipment and Military Weapons under NAICS code 541330."</p> <p>Relative to the second part of the question beginning with 'i.e.', the following example is provided:</p> <p>Where a subcontractor qualifies as a small</p>

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	<p>business under NAICS Code X, the prime contractor can receive credit for this work. However, if the same subcontractor under the same contract qualifies as a large business under a different NAICS Code Y, the prime contractor cannot receive <u>small business subcontract</u> credit for the work performed by the subcontractor under NAICS Code Y.</p>
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